(MR. SPEAKER)

this behalf. If they can show, thta is all right. I have written to the Speakers of different State Legislatures to enlighten me on this question. I have written to the Lok Sabha and the Legislatures of Madras, Kerala, Andhra and other places. I have also written to the House of Commons in this respect. As soon as I receive the replies from them, I shall consolidate them and give my ruling. I will be able to do it shortly.

Sri G. VENKATAI GOWDA (Palaiyam).—The other day when certain notifications were sought to be placed before the House, I took objection to certain things and I have given them in writing to you. Nothing has been done about it.

Mr. SPEAKER.—I have sent them to the Government for their replies, and as soon as I receive them, I will place them before the House.

Election to Senate of the Mysore University.

Mr. SPEAKER.—In respect of the election of one member to the Senate of the Mysore University by the Members of the Legislative Assembly, as only one application has been received from Sri F. X. Max Denis Pinto, he is declared elected and consequently there will be no election in this behalf.

Sri Y. VEERAPPA (Holenarasipur).—Sir, I had sent in an adjournment motion.

Mr. SPEAKER.—It will be taken up tomorrow or day after tomorrow.

HYDERABAD CO-OPERATIVE SOCIETIES (MYSORE AMENDMENT) BILL, 1958.

Introduction.

Sri MALI MARIAPPA (Minister for Co-operation).—Sir, I introduce the Hyderabad Co-operative Societies (Mysore Amendment) Bill, 1958, which has been published in the *Mysore Gazette* under rule 46 of the Rules of Procedure and Conduct of Business in the Mysore Legislative Assembly.

Mr. SPEAKER.—The Bill is introduced.

MADRAS COMMERCIAL CROPS MARKETS (MYSORE AMENDMENT AND VALIDATION OF LEVY OF CESS) BILL, 1958.

Motion to consider.

Sri MALI MARIAPPA (Minister for Co-operation).—Sir, I move:

"That the Madras Commercial Crops Markets (Mysore Amendment and Validation of Levy of Cess) Bill, 1958, be taken into consideration."

Mr. SPEAKER.—Motion moved:

"That the Madras Commercial Crops Markets (Mysore Amendment and Validation of Levy of Cess) Bill, 1958, be taken into consideration."

Sri M. C. NARASIMHAN (Kolar Gold Fields).—Sir, I have to raise a point of order in respect of this Bill. The Bill should not be passed because of two or three objections. One is, this particular Bill seeks to validate with effect from 23rd November 1955 the cess collected, for which there was no authority to collect. It is a very well known rule that an invalidity based on want of power or jurisdiction cannot be cured by subsequent legislation. My point is that it cannot be enacted to have retrospective effect from 23rd November 1955. In respect of a subsequent transaction, *i.e.*, from the date on which this amendment becomes enforceable I can understand but not in respect of a matter where there was want of jurisdiction; you can't have it retrospectively. The Statement of Objects and Reasons admits that there was want of jurisdiction while this cess was collected because notification as contemplated under Section 11 of the Act was not issued. This is an important point; you cannot have such a curative legislation which is based on want of power or want of jurisdiction.